

**CITY PLANNING COMMISSION  
MINUTES  
JANUARY 12, 2016**

**1. CALL TO ORDER** – Holtz called the meeting to order at 6:00 p.m.

**2. ROLL CALL**

Members Present: Blackman, Crawford, DeMasi, Hartman, Holtz, Milford, Nelson, Rew and VanHouten

Absent: Danielsen and Holm

Staff: Brown, Gibbons and Wade

**3. ADOPTION OF AGENDA**

Motion by Milford, second by Blackman to adopt the agenda as presented. Motion carried by unanimous voice vote.

**4. APPROVAL – MINUTES OF DECEMBER 8, 2015 MEETING**

Motion by DeMasi, second by Blackman to adopt the agenda as presented. Motion carried by unanimous voice vote.

**5. PROOF OF PUBLICATION** – Brown

**6. REVIEW OF MEETING PROCEDURES** – Holtz

**7. PUBLIC HEARINGS** - *(Refer to the taped recording of these proceedings for official verbatim minutes)*

- A. CASE #ZC-16-001: Public hearing on the request of B&B Real Estate Investments, LLC, represented by Jim Kaiser of Heartland Properties, to amend Ordinance No. 6016, approved by City Council on January 12, 2009, in order to rezone property legally described as being the South 908.96 feet of the SE1/4 NW1/4 of Section 18-74-43 lying east of Lateral 5 (except City), Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-2/General Industrial District. Location: east of East Manawa Drive and south of tank farm.

The following members of the public spoke in favor of the request:

James Kaiser, 23118 McPherson Avenue, Council Bluffs, Iowa 51503 stated the purpose of the rezoning is to allow National Concrete to relocate their business from South Avenue to the subject property. Kaiser then stated that National Concrete's proposes to use of the subject property as a 'contractor shop' and 'salvage operation' (concrete recycling) for their business.

Chris Brandt, 2427 South Avenue, Council Bluffs, IA 51503 discussed the visual appearance of the proposed 'contractor shop' and 'salvage operation' uses on the subject property.

The following member of the public asked general questions about the request:

Lee Camenzind, on behalf Art Camenzind, 10406 State Street, Omaha, NE 68122 asked questions about truck traffic associated with the proposed 'contractor shop' and 'salvage operation'.

Brown discussed the zoning history of the subject property and then clarified that a 'contractor shop' is allowed as a principle use in an I-1/Light Industrial District. Brown also stated that a 'salvage operation' in an I-2 General Industrial District requires a conditional use permit from the Zoning Board of Adjustment. Brown then discussed staff's recommendation for the proposed request.

The Planning Commission members asked questions and discussed the request.

Motion by Rew, second by Nelson to recommend denial of the request by B&B Real Estate Investments, LLC, represented by Jim Kaiser of Heartland Properties, to amend Ordinance No. 6016, approved by City Council on January 12, 2009, in order to rezone property legally described as being the South 908.96 feet of the SE1/4 NW1/4 of Section 18-74-43 lying east of Lateral 5 (except City), City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-2/General Industrial District, based on reasons stated in the case staff report.

VOTE: AYE – Blackman, Crawford, Holtz, Milford, Nelson and Rew. NAY – DeMasi, Hartman and VanHouten. ABSTAIN – None. ABSENT – Danielsen and Holm. Motion carried.

- B. CASE #ZC-16-002: Public hearing on the request of the Community Development Department to rezone the following City owned property from I-1/Light Industrial District to R-3/Low Density Multi-Family Residential District: Lots 4 - 6, Block Ferry Addition; Lots 1 - 6, Block 7, and N1/2 vacated alley and W1/2 vacated S. 33rd Street abutting, Bryant and Clark's Subdivision; Lots 1 - 8, Block 8, and the E1/2 vacated S. 33rd Street abutting, Bryant and Clark's Subdivision; Lot 1 - 8, Block 9 and vacated alley right-of-way abutting, Bryant and Clark's Subdivision; and Lots 1 - 16, Block 10, and vacated alley and W1/2 vacated S. 30th Street abutting, Bryant and Clark's Subdivision; along with rezoning the following City owned property from C-2 Commercial District to R-3/Low Density Multi-Family Residential District: Lots 1 - 3, Block 6, Ferry Addition; Lot 7 - 12, Block 7, and the S1/2 vacated alley, Bryant and Clark's Subdivision; Lots 9 - 16, Block 8, Bryant and Clark's Subdivision; along with rezoning the following City owned property from I-1/Light Industrial District to C-2 Commercial district: Lots 7 and 8, Block 2, and Lots 1 - 8, Block 3, and vacated S. 30th Street abutting, Bryant and Clark's Subdivision. Location: Generally between 1<sup>st</sup> and 2<sup>nd</sup> Avenues extending between South 30<sup>th</sup> and 34<sup>th</sup> Streets.

Crawford abstained from the request.

The following member of the public spoke in favor of the request:

Rose Brown, Planning Coordinator, City of Council Bluffs, Iowa 51503 discussed the current zoning of the subject properties and stated all properties in the request are owned by the City of Council Bluffs. Brown explained that the proposed rezoning requests are consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan) and the West Broadway Corridor Plan. Brown also stated the City has no specific development plan(s) for the subject properties at this time.

No one appeared in opposition of the request.

Motion by VanHouten, second by DeMasi to recommend approval to rezone the following properties described below, as per staff's recommendation:

From I-1/Light Industrial to R-3/Low Density Multi-Family Residential: Lots 4 through 6, Block 6, Ferry Addition; Lots 1 through 6, Block 7, and N1/2 vacated alley and W1/2 Vacated South 33rd Street abutting, Bryant and Clark's Subdivision; Lots 1 through 8, Block 8, and the E1/2 vacated South 33rd Street abutting, Bryant and Clark's Subdivision; Lot 1 through 8, Block 9 and the N1/2 vacated alley abutting and the S1/2 vacated alley abutting Lots 11, 13, 14 and 15, Bryant and Clark's

Subdivision; and Lots 1 through 16, Block 10, and vacated alley and W1/2 vacated S. 30th Street abutting, Bryant and Clark's Subdivision.

From C-2/Commercial to R-3/Low Density Multi-Family Residential: Lots 1 through 3, Block 6 Ferry Addition; Lots 7 through 12, Block 7, and the S1/2 vacated alley abutting, Bryant and Clark's Subdivision; Lots 9 through 16, Block 8, Bryant and Clark's Subdivision.

From I-1/Light Industrial to C-2/Commercial: Lots 7 and 8, Block 2 and Lots 1 through 8, Block 3, and vacated South 30th Street abutting, Bryant and Clark's Subdivision.

VOTE: AYE – Blackman, DeMasi, Hartman, Holtz, Milford, Nelson, Rew and VanHouten. NAY – None. ABSTAIN – Crawford. ABSENT – Danielsen and Holm. Motion carried.

- C. CASES #ZC-16-003 & PR-16-001: Combined public hearing on the request of Bethany Lutheran Home, represented by Michael D. Van Sickle to rezone property legally described as Lots 2 & 3, Auditor's Subdivision of the SW1/4 NW1/4 and Lots 2, 3, and 4, Auditor's Subdivision of the SE1/4 NW1/4; also all that parcel of land lying between the above lots and the westerly line of Broadway being a part of Lot 11, Auditor's Subdivision except part of the above property deeded to the City of Council Bluffs, Iowa for creek purposes, all in Section 19-75-43, Pottawattamie County, Iowa except for the following: Part of Lots 3 & 4, Auditor's Subdivision of the SE1/4 NW1/4 of Section 19-75-73, more particularly described as follows: The East 115 feet of the West 165 feet of the North 49.11 feet of Lot 4, Auditor's Subdivision, together with a part of Lot 3, Auditor's Subdivision described as follows: Beginning at a point on the South lot line of said Lot 3, 50 feet East of the Southwest corner of said Lot 3, thence North a distance of 41.89 feet; thence East a distance of 106.5 feet; thence South 05°25' East a distance of 37.05 feet; thence East a distance of 5 feet; thence South a distance of 5 feet; thence West a distance of 115 feet to the point of beginning, all in Auditor's Subdivision of the SE1/4 NW1/4, Section 19-75-43, Pottawattamie County, Iowa from R-1/Single-Family Residential District to R-3/Low Density Multi-Family Residential District and to apply a Planned Residential Overlay and adopt the associated development plan for the Bethany Lutheran Home (Senior Living Community). Location: 2410 North Broadway.

The following members of the public spoke in favor of the request:

William Wedeking, 1357 Cummins Parkway, Des Moines, IA 50311 discussed the architectural design, vehicular access and nursing/medical services for the proposed senior living community with the Commission. Wedeking also discussed the boundary of the proposed rezoning and how it compared to the previous request by Bethany Lutheran Home (Case #ZC-14-001). Wedeking further stated that the applicant supports the Community Development Department's recommendation to only rezone the front 6.45 acres instead of the entire 12 acres, as proposed.

Matthew Hubel, 1044 North 115<sup>th</sup> Street, Omaha, NE 68154 discussed site grading, floodplain management and landscaping for the proposed senior living community with the Commission.

The following member of the public asked general questions about the request:

David Christiansen, 2735 North Broadway, Council Bluffs, IA 51503 appeared on behalf of the North Broadway Neighborhood Association and asked questions regarding site grading, vehicular access, floodplain management and parking for the proposed senior living community. Christiansen also inquired if the rezoning could be conditionally approved by City Council in case the senior living community is not built.

Audrey Robson, 220 Sylvan Drive, Council Bluffs, IA 51503 asked questions the impact the proposed development will have on the existing Indian Creek bridge that connects Sylvan Drive to North Broadway.

Wade responded to Robson questions about the maintenance of the Indian Creek bridge that connects Sylvan Drive to North Broadway.

Brown explained how the adopted Planned Residential Overlay would regulate the use of the property as a senior living community if approved by City Council.

The Planning Commission members asked questions and discussed the request.

Motion by Hartman, second by Blackman to recommend denial of the applicant's request and to recommend approval of the following:

Rezoning the eastern 6.45 acres of the subject property, as legally described on Attachment 'D' of the case staff report, from R-1/Single-Family Residential District to R-3/Low-Density Multi-Family Residential District subject to applying an approved PR/Planned Residential Overlay and subdividing the subject property as a two-lot minor subdivision.

Applying a PR/Planned Residential Overlay to the eastern 6.45 acres of the subject property, as legally described on Attachment 'D' of the case staff report, subject to compliance with all comments and conditions stated in the case staff report.

VOTE: AYE – Blackman, Crawford, DeMasi, Hartman, Holtz, Milford, Nelson, Rew and VanHouten. NAY – None. ABSTAIN – None. ABSENT – Daniels and Holm. Motion carried.

Holtz recessed the meeting to allow the applicant and interested public parties for Cases #ZC-16-003 and PR-16-001 to exit Community Hall.

- D. CASE #URN-16-002: Public hearing on the request of the City of Council Bluffs to adopt the Bluffs Vision Urban Renewal Plan and Area for the land described as being a part of lot 1, Hotel Plaza at the M.A.C. a subdivision located in the South ½ of Section 3, Township 74 North, Range 44 West; and also together with part of Plaza at the M.A.R.C.C., a subdivision located in the Southwest 1/4 of said Section 3; all located in the 5th Principal Meridian, City of Council Bluffs, Iowa. Location: 18.72 acres west and south of the MAC Arena and Convention.

Crawford abstained from the request.

The following members of the public spoke in favor of the request:

Rose Brown, Planning Coordinator, City of Council Bluffs, Iowa 51503 stated the proposed urban renewal plan is related to the Fieldhouse and hotel project at the Mid-America Center area that was reviewed by the Commission in December 2015. Brown then stated the Commission must determine if the proposed urban renewal plan is consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan).

Wade discussed how the urban renewal plan allows the City to capture the taxable value for the proposed new Fieldhouse and hotel developments for tax increment financing purposes.

No one from the public appeared in opposition of the request.

Motion by DeMasi, second by Holtz to recommend approval of the Bluffs Vision Urban Renewal Plan and Area and finds this Plan and Area to be in conformance with the “Bluffs Tomorrow: 2030 Plan” which is the general plan for the development of the City of Council Bluffs.

VOTE: AYE – Blackman, DeMasi, Hartman, Holtz, Milford, Nelson, Rew and VanHouten. NAY – None. ABSTAIN – Crawford. ABSENT – Danielsen and Holm. Motion carried.

- E. CASE #URV-16-001: Public hearing on the request of the City of Council Bluffs to create the Hawkeye Heights Phase II Urban Revitalization Area and adopt the required plan for an area legally described as Lot 1, Hawkeye Heights Subdivision, Phase II, City of Council Bluffs, Pottawattamie County, Iowa. Location: Northeast of property located at 1801 East Kanesville Boulevard.

The following members of the public spoke in favor of the request:

Rose Brown, Planning Coordinator, City of Council Bluffs, Iowa 51503 spoke on behalf of the request and stated the proposed urban revitalization plan is for a new economic development project (senior housing) on East Kanesville Boulevard. Brown also stated that the Commission reviewed a rezoning request (Case #ZC-15-011) for the proposed senior housing facility.

No one from the public appeared in opposition of the request.

Motion by Rew, second by DeMasi to recommend approval of the Hawkeye Heights Phase II Urban Revitalization Plan and Area.

VOTE: AYE – Blackman, Crawford, DeMasi, Hartman, Holtz, Milford, Nelson, Rew and VanHouten. NAY – None. ABSTAIN – None. ABSENT – Danielsen and Holm. Motion carried.

**8. OTHER BUSINESS** (*Refer to the taped recording of these proceedings for the official verbatim minutes*)

City Council update – Wade provided an update of City Council actions relative to recent planning cases to the Commission.

Other items of interest – Brown informed the Commission that a public meeting for the South 8<sup>th</sup> Street historic survey and evaluation project will be held on Thursday, January 14<sup>th</sup> at 6:00 P.M. in Community Hall.

**9. ADJOURNMENT** – Holtz adjourned the meeting at 7:16 P.M.

*The recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Planning Commission. The recording of this proceeding is incorporated into these official minutes of this Commission meeting as if they were transcribed herein.*